



Promoting opportunities. Protecting rights. For older Victorians.

COTA Victoria & Seniors Rights Victoria

Submission on draft Ministerial Guidelines for Payment of Rates and Charges

To:

Consumer Affairs and Local Government Strategy and Planning Team
calg.strategyplanning@dgs.vic.gov.au

Contact:

Marshida Kolthoff
Policy & Advocacy Manager
mkolthoff@cotavic.org.au

December 2025

COTA Victoria is supported by financial assistance from the Commonwealth and Victorian Governments.

1 About us

[Council on the Ageing \(COTA\) Victoria](#) is the leading not-for-profit organisation representing the interests and rights of people aged over 50 in Victoria. For over 70 years, we have led government, corporate and community thinking about the positive aspects of ageing in the state.

Today, our focus is on promoting opportunities for and protecting the rights of people 50+. We value ageing and embrace its opportunities for personal growth, contribution, and self-expression. This belief brings benefits to the nation and its states alongside communities, families, and individuals.

[Seniors Rights Victoria \(SRV\)](#) is the key state-wide service dedicated to advancing the rights of older people and the early intervention into, or prevention of, elder abuse in our community. It is the only Community Legal Centre dedicated to preventing and responding to elder abuse within Victoria.

SRV has a team of experienced advocates, lawyers, and social workers who provide free information, advice, referral, legal advice, legal casework, and support to older people who are either at risk of or are experiencing elder abuse. SRV supports and empowers older people through the provision of legal advice directly to the older person.

2 About this submission

We are pleased to have the opportunity to contribute to the finalisation of new guidelines on payment of rates and charges to local councils across Victoria.

These payments are a significant financial pressure for a large number of older Victorians, many of whom are cash-poor and struggle to pay household bills despite owning property. A COTA Australia survey in late 2022 found that 19% of older Victorians had an overdue bill due to inability to pay, including 9% unable to pay council rates. Property charges raise sensitive concerns for older people about the security of their longest held and biggest family asset, which is central to their ability to age well in place.

Older people face further challenges related to elder abuse – frequently involving financial issues relating to the family home – and other forms of financial abuse such as scams, which can leave them suddenly in considerable hardship despite having previously been in a reasonably good financial situation.

Our submission focusses chiefly on ways in which the draft guidelines could be strengthened through stronger language, clearer definitions, and expectation of consistency across councils. We also address effective communications with older people, and the role councils should play in modelling best practice in payment processes.

In considering this issue, we have liaised with other advocacy organisations with strong knowledge of consumer payment matters. As part of this collaboration, we have also endorsed a joint submission led by Westjustice.

3 Comments on Draft Guidelines

We welcome the intent of these guidelines to improve local government policies and practices, promote consistency, and meet community expectations for fair and respectful treatment of all residents. We particularly commend the strong focus on proactive engagement and early support, which can reduce the need for punitive, costly, and distressing debt recovery actions. The draft represents a meaningful step toward these goals and provides a solid foundation to build upon.

However, we believe the guidelines can be further strengthened to ensure they achieve their intended objectives. In particular, the language should be more directive and outcome focussed. Councils are frequently “encouraged” to adopt good practice where they should be expected and held accountable to implement these approaches wherever practicable and consistently across the state. For example, the charging of interest should not merely be “discouraged,” but explicitly limited to defined exceptional circumstances.

The term “reasonable” is used in several places where clearer expectations or benchmarks are needed. Without greater specificity, for example on the timeframes for assessing hardship applications, there is a risk of inconsistent interpretation and reduced effectiveness.

As a guiding standard, we recommend that the guidelines explicitly reference alignment with best practice in payment management across essential services such as energy and water. Local councils should be positioned as leaders in equitable payment support, not simply meeting minimum compliance requirements.

Finally, while we appreciate that the primary audience for these guidelines is council officers, the use of simpler language and more prescriptive requirements would enhance transparency and make the guidelines more accessible for community members. This would also support councils in translating the principles into effective, community-facing information and resources.

3.1 Principles

The draft principles may benefit from some consolidation and further detail. Dividing them into “mandatory” and “other” creates unnecessary hierarchy, dilutes their collective intent, and risks downplaying important elements of good practice. Specifically:

- Proactive support and early intervention should be elevated as a standalone principle. It is central to preventing debt escalation and should not be referenced only in the context of debt collection costs.
- Consumer choice should be clearly articulated as a principle in its own right, particularly regarding accessible and flexible payment options that reflect individuals’ circumstances and preferences.
- The communications principle should explicitly address accessibility across both digital and non-digital channels, recognising that digital exclusion is disproportionately

experienced by older people. It should also ensure access to information in relevant community languages to support migrants and multicultural communities.

- The principles should more clearly acknowledge the diverse needs and lived experiences of local communities, including the impacts of intersectionality, ageing, disability, and long-term unemployment.

3.2 Proactive management of payment difficulties

We welcome the emphasis on ensuring rates notices use accessible language. This expectation should be strengthened by requiring compliance with recognised standards for accessible communication. At a minimum, and particularly in the context of ageing and disability, notices should include a Plain Language statement that clearly outlines payment requirements and options for receiving the notice in alternative formats.

We recommend that the four dot points listed on page 10, regarding the essential information to be included on rates statements, be mandatory rather than merely “encouraged”. Each reflects a core component of good practice and is necessary to support informed decision-making and timely engagement by rate payers.

In regard to discounts and subsidies, we suggest that reference be made to Victorian Household Concessions as this is a well-understood term amongst many older people. It should also be unequivocally stated that eligibility for a concession does not limit access to hardship support. Even with the current maximum concession of approximately \$266, many individuals in financial distress will continue to face substantial payment challenges.

We also advocate for a proactive approach when it comes to concessions. Councils should either automatically apply the state concession, where eligibility has been confirmed in the previous year, or directly notify ratepayers of their likely eligibility. This would be consistent with a wider move towards concessions being automatically applied rather than requiring a separate application. There is also a case for retrospective application of a concessional discount.

3.3 Measuring performance

We are pleased to see councils being encouraged to record and report information on outstanding rates and charges. However, the language here is very soft. Until the mandatory Local Government Performance Reporting System is expanded, it would be useful to provide a basic guideline on a voluntary reporting practice relevant to rates payment that includes at a minimum:

- The proportion of households paying rates on time.
- The occasions of activation of council hardship policy.
- Basic demographics of residents experiencing payment difficulties, including age and welfare recipient status.

3.4 Hardship

The separation of hardship and financial hardship as presented in the guidelines is subtle, overly complex, and likely to create confusion. While we recognise this distinction reflects legislative provisions, it is not clear that it offers a practical or meaningful framework for councils or community members in this context. The issue is compounded by the lack of clear definitions; both terms are described using the same list of potential causes.

Perhaps a more useful and accessible distinction would be between short-term, episodic, hardship and ongoing, structural hardship. Short-term hardship may be best addressed through payment deferrals or instalment arrangements, whereas ongoing hardship is more appropriately managed through partial or full waivers. The guidelines should clearly articulate this difference and indicate how particular risk factors commonly align with each category.

We also note that the criteria on page 14 for determining financial hardship focus on a person's ability to meet the "necessities of life." While the examples provided are suitable, the guidelines should emphasise that councils must adopt a flexible, case-by-case approach that considers the person's broader circumstances, essential costs, and their realistic capacity to pay over time.

A significant omission is the consideration of aged care settings and responsibilities. Older ratepayers should not be placed in a position where they must choose between paying rates and contributing to necessary care for themselves or a family member ordinarily residing at the rated property. This applies to both in-home aged care and cases where the homeowner or another household member is living in residential care but retains financial responsibility for the family home. The guidelines should explicitly include aged care as a recognised factor contributing to ongoing financial hardship.

3.5 Communication with ratepayers

The guidelines cover several steps involving ratepayer applications, requests to provide further information, and review of council decisions. It would be helpful to provide overarching guidance on "reasonable" efforts to contact ratepayers contact, or their authorised representative, and to state that the use of these methods should take in to account possible impacts of ageing, disability, and English language proficiency.

We know that many older people retain a strong preference for printed materials that provide clear expectations. They also value the ability to have a person-to-person conversation at an early stage of pursuing a difficulty. While many older people are very competent users of digital technologies, overall, they have significantly higher rates of digital exclusion stemming from a range of factors.

Drawing on our understanding of the capacity and preferences of older people, we recommend that councils include at a minimum, and subject to local factors:

- Sending reminder letters to the ratepayer's home or mailing address.
- Emailing and/or sending SMS to the ratepayer and/or authorised agent.
- Making telephone calls to the ratepayer and providing an easy to access phone line for queries.
- Physically attending the ratepayer's home address.
- Using newsletters and notice boards to alert ratepayers to timelines and options for payment.

All the above should be done with the assistance of an interpreter or translator for ratepayers who have difficulty speaking or reading English, including options for those with a vision impairment, and Simple English materials for those with cognitive impairments.

3.6 Impact of elder abuse

While the definition of family violence in Victoria encompasses elder abuse within familial relationships, we strongly recommend explicit reference to elder abuse in these guidelines. This would reinforce its inclusion, recognise its distinct dynamics, and ensure councils are attentive to the specific risks and needs of older victim-survivors. Hardship policies should be closely aligned with councils' broader family violence and elder abuse policies and response frameworks.

More specifically, we recommend that councils be asked to be alert to, and have processes to address, situations in which elder abuse may have:

- Interrupted an established pattern of rates payment, such as when a co-owner ceases to contribute.
- Reduced a person's capacity to pay due to control or removal of assets, income, or legal/financial documents.
- Increased vulnerability or barriers to managing financial obligations, including cognitive decline or distress caused by abuse.
- Created safety risks through information sharing, where correspondence or disclosure may alert or empower a perpetrator.
- Prevented or discouraged a ratepayer from seeking hardship assistance, including applying for a deferral or waiver.

Councils should ensure that systems, staff training, and communication practices enable safe disclosure, protect confidentiality, and support the wellbeing and rights of people of all ages experiencing, or at risk of experiencing, abuse.